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MAY 04 2005

In re Application of  
Diego Dayan et al.  
Application No. 10/662,168  
Filed: September 10, 2003  
Attorney Docket No. 02875/100H491-US1

**OFFICE OF PETITIONS**

: DECISION ACCORDING STATUS  
: UNDER 37 CFR 1.47(a)

This decision is in response to the renewed petitions filed April 1, 2005, under 37 CFR 1.47(a) and 37 CFR 1.137(b), in response to the decision mailed January 5, 2005.

The petition under 37 CFR 1.137(b) is **GRANTED**.  
The petition under 37 CFR 1.47(a) is **GRANTED**.

The above-identified application was filed on September 10, 2003, naming Diego Dayan, Abel A. Godon, Jorge A. Estevez, Federico Alvarez, Ivan S. Entel and Samuel S. Tenembaum, but without a signed declaration. Accordingly, on December 3, 2003, a "Notice To File Missing Parts of Application" was mailed, requiring *inter alia* a properly executed oath or declaration. A response to the Notice was filed July 6, 2004 with a request for a five month extension of time. While the response included an oath or declaration, the oath or declaration was not executed by joint inventor Diego Dayan and thus since the time allowable for response had elapsed, the application became abandoned.

A petition seeking revival under 37 CFR 1.137(b) and status under 37 CFR 1.47(a) was filed November 1, 2004 wherein petitioner claimed that the declaration was mailed to Mr. Dayan but that he had failed to return an executed copy. The petition further claimed that by his actions, Mr. Dayan has refused to cooperate with the filing of the instant application. The petition to accord status was refused because the statement provided by Silvina Pirraglia revealed that the declaration was sent to Mr. Dayan, but didn't indicate that the complete application was ever sent to Mr. Dayan. Thus, there was no evidence to show that Mr. Dayan had the benefit of reviewing the application.

Since the required response, a grantable petition under 37 CFR 1.47 was not provided, the requirements under 37 CFR 1.137(b)<sup>1</sup> were also lacking and the petition to revive

<sup>1</sup> A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In a nonprovisional application filed on or after June 8, 1995, and abandoned for failure to prosecute, the required reply may also be met by the filing of a request for continued examination in compliance with § 1.114. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee

was dismissed in a decision mailed January 5, 2005.

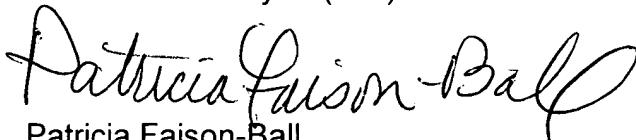
Comes now petitioner with a request for reconsideration under 37 CFR 1.47(a) and a renewed petition under 37 CFR 1.137(b). Petitioner submits a supplemental statement by Silvina Pirraglia in which Ms. Pirraglia adds that the correspondence mailed to Mr. Dayan included the application and the declaration and that the date the correspondence was mailed was May 5, 2004 instead of May 11, 2004 as previously indicated.

All requirements under 37 CFR 1.47(a) therefore having been met, as provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

In view of the above and the requirements for reviving the application having therefore been met, the petition under 37 CFR 1.137(b) is granted.

This matter is being referred to the Office of Initial Patent Examination for further pre-examination processing.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.



Patricia Faison-Ball  
Senior Petitions Attorney  
Office of Petitions

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or any outstanding balance thereof. In an application abandoned for failure to pay the publication fee, the required reply must include payment of the publication fee.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).



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DIEGO DAYAN  
MOLDES 1139, 6B  
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ARGENTINA

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**OFFICE OF PETITIONS**

In re Application of  
Diego Dayan et al.  
Application No. 10/662,168  
Filed: September 10, 2003  
For: COMPUTERIZED ADVERTISING METHOD AND SYSTEM

Dear Mr. Dayan:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned Petitions Attorney at (571) 272-3212. Requests for information regarding your application should be directed to the File Information Unit at 703/308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at 703/308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

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cc:

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